



**MIDDLETOWN**  
Rhode Island

**PLANNING DEPARTMENT**

**TOWN OF MIDDLETOWN**

350 East Main Road, Middletown, RI 02842

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**Notice of Planning Board Recommendation**

To: APPLICANT

From: Paul A. Croce, Chairman  
Middletown Planning Board

Date: October 17, 2022

Re: Request of CGRI Middletown, LLC for Development Plan Review for a project consisting of proposed alterations to existing commercial buildings, proposed new commercial buildings, and associated site work, and including requests for waivers from certain requirements of section 521 of the Middletown Rules and Regulations Regarding the Subdivision and Development of Land. Property located at 1400 West Main Rd., Assessor's Plat 106, Lot 53A

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During its meeting of October 12, 2022, the Planning Board considered the above referenced application. At the conclusion of the public hearing, the Board voted 6-0-0 (Mr. Pierik recused himself) to forward a positive recommendation on the application, including the requested waivers, to the Zoning Board of Review. The plans subject to this review and recommendation include the following:

- Site plans prepared by VHB, dated June 6, 2022.
- Building elevations by: Design Resources Architects of Wickford, dated 9/15/2022 & 12/23/2021; Cordtsen Design Architecture, dated 5-26-2022; Dennis Colwell Architects, dated 6/25/2019.
- Landscaping plan by VHB, dated April 18, 2022.

The positive recommendation is subject to the following conditions of approval:

1. Ongoing inspections and maintenance of the stormwater management system shall be conducted in accordance with the approved operations & maintenance plan. Prior to permitting, a stormwater facilities maintenance easement, subject to the approval of the Town Solicitor, shall be recorded which will obligate the owner to properly maintain the stormwater system, and provide for, but not obligate the Town to access the easement area to perform necessary maintenance at the owner's expense, should the owner fail to do so.
2. Prior to permitting, the stormwater management system operation and maintenance plan shall be revised to include measures needed to maintain design infiltration rates, subject to the approval of the Town Engineer.
3. Prior to permitting, the stormwater management report shall be revised to reflect and take credit for anticipated groundwater recharge on the site, subject to the approval of the Town Engineer.
4. Prior to permitting, the applicant shall investigate the possibility of further reducing the rate and volume of stormwater discharge from the site. Any such revisions to the stormwater management plan are subject to review and approval by the Town Engineer.

5. The applicant shall coordinate with the Town Engineer on the evaluation of the potential need for an easement benefiting the Town, to allow for off-site stormwater flows to be transmitted through the applicant's stormwater management system.
6. Prior to permitting, the applicant shall coordinate with the Fire Department to select acceptable emergency vehicle access to the gated portion of the property.
7. Prior to permitting, the applicant shall coordinate with the Fire Department on required fire hydrant specifications.
8. Prior to permitting, comments from the Tree Commission contained in their correspondence to the Planning Board on September 30, 2022 shall be addressed.
9. Prior to permitting, site plans and/or landscape plans shall be revised to include replacement of the existing fence surrounding the detention basin at the front of the property with a new black vinyl-clad chain link or other decorative fencing, subject to review and approval by the Town Planner and Town Engineer.

Waivers granted from the commercial development design standards of Section 521 of the *Middletown Rules and Regulations Regarding the Subdivision and Development of Land* as follows:

1. **Section 521.1.B.1** – Parking to be located to side or rear of buildings. **Proposed parking does not comply. This is an existing site condition due to location of the existing former Benny's building, which will be retained.**
2. **Section 521.1.B.2** – Parking to be separated into lots of not more than 50 spaces each, with lots separated by landscaped strip at least 10 feet wide. **Proposed parking does not comply.**
3. **Section 521.1.E.4** – Bike racks to accommodate at least 1 bike for every 5 auto parking spaces must be provided. **Required number of bicycle spaces not provided.**
4. **Section 521.2.C** – Building exteriors and roofs must be constructed of traditional materials such as wooden clapboards, shingles, patterned shingles, brick or stone. **The applicant proposes use of Hardie Plank or similar product, metal, and other products for building siding.**
5. **Section 521.2.C** – Traditional roof form required, with minimum 4:12 pitch. **Roofs for buildings at the rear of the site do not comply.**
6. **Section 521.3.D.1-** Landscape buffer, 10' wide along all property lines. **Not provided in all areas.**
7. **Section 521.3.D.3** - Landscape buffer, 10' wide between the building and parking/driveways. **Not provided in all areas.**
8. **Section 521.3.F. 2** – Parking lot trees. **Proposed parking lot trees do not meet the minimum size of 4-inch caliper. Applicant agreed to purchase 4" caliper trees if they are available.**

Findings made:

1. The granting of approval will not result in conditions inimical to the public health, safety and welfare;
2. The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district;
3. The plans for such project comply with all the requirements of this chapter and the Regulations, or that necessary waivers from the requirements of the Regulations have been granted;
4. The plans for such project are consistent with the Comprehensive Plan; and

5. Any conditions or restrictions that are necessary to ensure that these guidelines have been met have been incorporated into the written approval or recommendation.



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Paul A. Croce, Chairman  
Middletown Planning Board

cc. Town Clerk  
Building/Zoning Official

RECORDED: Oct 18, 2022 02:12P  
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WENDY J. W. MARSHALL, TOWN Clerk  
TOWN of MIDDLETOWN, RI